

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.60298 of 2023 (O&M)

Date of Decision: 02.12.2023

Amanpreet Singh Randhawa

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Nipun Bhardwaj, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab
for respondent Nos.1 to 3.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for issuance of appropriate directions to respondent No.4-Cholamandalam Investment and Finance Company Limited not to interfere in the free plying of the vehicle bearing registration No.PB-10-HN-9539 by the petitioner.

(2) It is alleged that respondent No.4 is taking the possession of aforesaid vehicle by way of using force, which is not permissible in view of the judgments of Hon'ble the Supreme Court, titled as “**Manager, ICICI Bank Ltd. Versus Prakash Kaur & Ors.**”, reported in **2007 (2) RCR (Criminal) 76**

as well as “**ICICI Bank Versus Shanti Devi Sharma & Others**”, reported in **2008(3) RCR (Criminal) 463**.

- (3) In view of the above, present petition is disposed off with the observation that respondent No.4 may proceed against the petitioner for recovery of dues and/or any other measure(s), but in accordance with law.
- (4) Needless to say that in case occasion so arises, petitioner would be able to take recourse to the remedy available under law.
- (5) Pending application(s), if any, shall also stand disposed off.

December 2, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No